

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL JOHN GADDY,
Plaintiff,
v.
M. TOWNSEND, et al.,
Defendants.

Case No. [16-cv-01319-HSG](#)

**ORDER REVISING BRIEFING
SCHEDULE; DIRECTIONS TO CLERK**

This *pro se* civil rights action has been remanded from the Ninth Circuit for further proceedings. Following the remand, on April 13, 2018, the Court re-opened the case; vacated the judgment; ordered the parties to file supplemental briefing, not to exceed fifteen (15) pages in length, by June 11, 2018; and allowed responsive briefs, not to exceed seven (7) pages in length, to be filed by July 6, 2018. Dkt. No. 42. On June 11, 2018, instead of filing a supplemental brief, Defendants filed a second motion for summary judgment that exceeded the page limit. Dkt. No. 45. That same day, the Court received a letter from Plaintiff indicating that he was unaware of the Court's April 13, 2018 Order. *See* Dkt. No. 46. Accordingly, the Court directs the Clerk to send Plaintiff a copy of the Court's April 13, 2018 Order. The Court also vacates the prior briefing schedule; and issues the following revised briefing schedule.

By July 20, 2018, Plaintiff shall file a supplemental brief, not to exceed twenty-one (21) pages in length, addressing whether Defendants' refusal to correct the error contained in the first level response of Plaintiff's inmate appeal PBSP-S-14-03014 constituted retaliation, in violation of the First Amendment. Plaintiff shall not raise or address any other issues in this supplemental brief. If Defendants wish to respond to Plaintiff's supplemental brief, they shall file a responsive pleading, not to exceed seven (7) pages in length, by August 24, 2018.


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If Plaintiff wishes to respond to Defendants' second motion for summary judgment, Plaintiff shall file a responsive pleading, not to exceed seven (7) pages in length, by August 24, 2018.

Defendants have titled their supplemental filing a second motion for summary judgment. However, the Court has only authorized supplemental briefing. Neither party may file additional briefing after the responsive pleadings due on August 24, 2018, without first seeking leave of Court.

IT IS SO ORDERED.

Dated: 6/13/2018


HAYWOOD S. GILLIAM, JR.
United States District Judge